

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE

UNITED STATES OF AMERICA,

V.

PATRICK GIBBS.

Case No. 3:09-00092

Chief Judge Haynes

**DEFENDANT'S FIRST MOTION TO CONTINUE SENTENCING HEARING**

Comes now Counsel for Patrick Gibbs and would move the Court for a brief continuance of the sentencing hearing that is currently set in the case on Friday, January 18, 2013 at 3:30. (DE 652) Counsel would show as grounds for this Motion the following:

1. Counsel was involved in a lengthy trial from October 23, 2012 until November 16, 2012 in the Middle District of Tennessee case of *United States v. Gentry*.

Due to the length of the trial in the *Gentry* case counsel was unable to meet with Pretrial Services in the normal timeframe to complete the presentence report in this case.<sup>1</sup>

2. Due to counsel having to delay the presentence report meeting, pretrial services will not be able to get a completed presentence report in the normal scheduled timeframe.

3. Counsel has consulted with Hal McDonough of the United States Attorneys Office and he indicates he has no objection to the continuance.

<sup>1</sup> Immediately after the plea counsel and pretrial services were unable to meet. Due to final trial preparations and the trial counsel was in, the meeting for the presentence report did not occur until December of 2012.

*ORDER*  
*This motion is*  
*GRANTED. Counsel*  
*for the parties*  
*have 20 days*  
*to submit*  
*an agreed*  
*order for*  
*the*  
*hearing*  
*Lille*  
*USAD*  
*1-8-13*